

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

O.J., a minor, by and through his father,
M.J.,

Plaintiff,

v.

CHAPPAQUA CENTRAL SCHOOL
DISTRICT, CHAPPAQUA CENTRAL
SCHOOL DISTRICT BOARD OF
EDUCATION, DR. CHRISTINE
ACKERMAN, Superintendent of
Chappaqua Central School District, in her
individual capacity, and DR. SANDRA
SEPE, Principal of Horace Greeley High
School, in her individual capacity,

Defendants.

No. 24 Civ. 2830

Hon. Nelson S. Roman

**[PROPOSED] ORDER
GRANTING PLAINTIFF'S
MOTION FOR
PRELIMINARY
INJUNCTION**

WHEREAS, on April 16, 2024, Plaintiff O.J., a minor, by and through his father, M.J., filed their Complaint, ECF No. 11, alleging that Defendants Chappaqua Central School District and Chappaqua Central School District Board of Education violated his First Amendment rights by suspending him for his off-campus speech.

WHEREAS, on May 31, 2024, Plaintiff filed a motion for a preliminary injunction with supporting declarations and a supporting memorandum of law; and

WHEREAS, having considered the papers submitted in support of Plaintiff's motion, for the reasons set forth therein, and for good cause shown,

NOW, THEREFORE, IT IS HEREBY ORDERED:

1. Plaintiff's Motion for Preliminary Injunction is **GRANTED**. O.J.'s high school record shall be returned to the status quo preceding the current controversy between the parties.
2. Accordingly, Defendants Chappaqua Central School District and Chappaqua Central School District Board of Education are **ORDERED** to expunge O.J.'s October 2022 suspension from his high school record such that, until the entry of a final judgment in this case, (a) the Defendants shall remove any reference or records related to the October 2022 suspension from O.J.'s educational file, (b) the Defendants shall not add any reference or records related to the October 2022 suspension to O.J.'s educational file, and (c) the Defendants shall not otherwise take any action that treats the suspension as if it occurred, including for the purposes of progressive discipline or by providing information referring to the October 2022 suspension or information related to it to post-secondary institutions, financial aid programs, or employers to which O.J. applies.

It is SO ORDERED

Dated: _____, 2024
White Plains, NY

Nelson S. Roman, U.S. District Judge